

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

7/9/2015 2:23 pm

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

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CHARLES MCCLENDON,

Plaintiff,

-against-

ORDER  
15-CV-3202 (SJF)(SIL)

SHERIFF MICHAEL J. SPOSATO,

Defendant.

-----X  
FEUERSTEIN, District Judge:

Pursuant to the Court's May 20, 2013 Order of Consolidation, the Court has reviewed the instant complaint and finds that it relates to the subject matter of the Consolidated Action, *Henrius, et al. v. Nassau County, et al.*, 13-CV-1192 (SJF)(SIL). Accordingly, this action shall proceed in accordance with the Order of Consolidation, a copy of which is annexed hereto. Since plaintiff's financial status, as set forth in his declaration in support of the application to proceed *in forma pauperis*, qualifies him to file the complaint without prepayment of the filing fees, see 28 U.S.C. § 1915(a)(1), the application to proceed *in forma pauperis* is granted.<sup>1</sup>

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of Court is directed to mail a copy of this Order and the Order of Consolidation to the *pro se* plaintiff at his last known address.

Dated: July 9, 2015  
Central Islip, New York

SO ORDERED.

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/s/  
Sandra J. Feuerstein, U.S.D.J.

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<sup>1</sup> Annexed to the complaint is a two (2)-page document entitled "Class Action Addresses & Names, Contacts," (*see* Compl. at 12-13), listing the names and addresses of an additional twenty-eight (28) inmates. However, none of those individuals have signed the complaint or submitted applications to proceed *in forma pauperis*. Since plaintiff is *pro se*, he cannot bring a class action. *See, e.g. U.S. ex rel. Mergent Servs. v. Flaherty*, 540 F.3d 89, 92 (2d Cir. 2008) ("[A]n individual who is not licensed as an attorney may not appear on another person's behalf in the other's cause." (quotations and citation omitted)).